

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

PAMELA RASHARONQ ELLINGTON,
on behalf of C.B.

PLAINTIFF

V.

CIVIL ACTION NO. 3:21-CV-435-KHJ-MTP

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Michael T. Parker [16]. The Report recommends that the Administrative Law Judge's ("ALJ") decision be affirmed and the case dismissed with prejudice. The Report notified the parties that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with 28 U.S.C. § 636.

When no party has objected to a magistrate judge's report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). In such cases, the Court can apply the clearly erroneous, abuse of discretion, and contrary to law standards of review. *See United States v. Brigham*, 569 F.3d 220, 228 (5th Cir. 2009) (citation omitted).

Plaintiff Pamela Ellington applied for supplemental security income for her son, C.B., alleging disability due to metal plates in his leg and right knee. [16] at 1. The Social Security Agency denied C.B.'s claim. *Id.* The ALJ held a hearing and determined that C.B. was not disabled. *Id.* Ellington appealed the ALJ's decision to the Appeals Council, which denied request for review. *Id.* Subsequently, Ellington

appealed to this Court, and the Magistrate Judge found substantial evidence supports the ALJ's decision that C.B. is not disabled. *Id.* at 4–9.

Ellington did not object to the Recommendation, and her time to do so has passed. The Court finds the Report and Recommendation is not clearly erroneous or contrary to law. The Court adopts the Report and Recommendation as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [16] of United States Magistrate Judge Michael T. Parker, entered in this cause should be, and the same is, adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that this action is DISMISSED WITH PREJUDICE.

SO ORDERED AND ADJUDGED this the 18th day of August, 2022.

s/ Kristi H. Johnson
UNITED STATES DISTRICT JUDGE